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Text Amendment Application No.
Boston Redevelopment Authority
Amend Article 27, Interim Planning
Overlay Districts

Preamble

On November 23, 1984, Article 27 was added to the Boston Zoning Code, which allows the city, where appropriate, to enact interim zoning regulations (IPODs) for neighborhoods and districts. Since Article 27 was enacted, interim zoning regulations have been established for eight separate districts, including all of the downtown. Final zoning is now in force in Port Norfolk, and is being readied for a number of other districts as well, including Harborpark. As the neighborhoods and the City have gained experience with the planning process, they have used the IPODs in increasingly creative ways. The IPODs have become more and more elaborate and specific in their planning requirements, requiring more than the two years allowed to prepare permanent zoning. Some neighborhoods are particularly complex from a planning perspective. In recognition of this experience with the IPOD process, the Boston Redevelopment Authority is proposing a technical amendment that will allow neighborhoods to utilize interim zoning regulations for up to three years, where necessary, prior to the proposal of final zoning regulations for a district.

TO THE ZONING COMMISSION
OF THE CITY OF BOSTON:

The Boston Redevelopment Authority petitions to amend the text of the Boston Zoning Code, established pursuant to Chapter 665 of the Acts of 1956, as amended, as follows:

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1. By inserting, at the end of Section 27-2.3, the following language:

; provided that, notwithstanding any contrary provision of this code, including, but not limited to, any provision of Articles 27C and 27E through 27J, inclusive, such time period shall automatically be extended until final zoning for the Interim Planning Overlay District is adopted by the Zoning Commission, but in no case shall an Interim Planning Overlay District be automatically extended to be in effect for a period exceeding three years; except that Article 27D, Downtown Interim Planning Overlay District, shall not be automatically extended pursuant to this section. An Interim Planning Overlay District may also be extended by approval of the Zoning Commission after public notice and hearing. An Interim Planning Overlay District shall dissolve upon expiration of the specified time period as extended pursuant to this paragraph or by the Zoning Commission.

2. By deleting Section 27-2.5 in its entirety, and by renumbering Section 27-2.6 to 27-2.5.

NEIGHBORHOOD PLANNING AND ZONING

Boston is in the midst of an unprecedented community-based planning process. The Flynn Administration is dedicated to a balanced growth approach to economic development that is predicated on an open community planning process. The central premise of this is that all knowledge about what is best for the city does not reside with the government. Plans work best when they are fashioned with the community.

Simultaneously with the planning for the downtown, city representatives have been working with numerous citizen groups to develop specific neighborhood planning and zoning initiatives and to review major projects and land disposition policies. The community planning process gives special attention to each neighborhood, and provides communities with a significant role in shaping land use controls to meet the individual needs of their neighborhoods. This process involves interested citizens attending meetings with representatives of the BRA and other city departments.

Residents from Harborpark neighborhoods, Charlestown, Port Norfolk, East Boston, North End, Allston-Brighton, Roxbury, South End, West Roxbury, Jamaica Plain, Fenway, Mission Hill, and South Boston are working with the BRA and the Mayor's Office of Neighborhood Services on interim and final rezoning that responds to particular issues raised by the communities. These issues include the need to protect residential areas from encroachment by commercial uses, and the need to provide more open space and parking. Each neighborhood planning area is subdivided into districts to undergo more comprehensive review. Over the next two years, major portions of neighborhoods across the city will be rezoned through the community planning process.

Rezoning in the neighborhoods occurs either through the Interim Planning Overlay District (IPOD) process, or through citizen-initiated proposals to directly amend zoning in an area. In many planning areas, the planning process begins with the appointment by the Mayor of an Advisory Committee nominated from the community, or by the official recognition of a Citizens' Review Committee (CRC) consisting of residents and local business leaders and property owners. The Mayor's Office of Neighborhood Services attends community meetings and provides organizational assistance. The BRA provides leadership in land use analysis and policy recommendations. After defining the geographical area of focus, the group then establishes goals and objectives for the area and issues to be addressed. The BRA then works with the designated community planning group to design specific zoning regulations to address these issues and to achieve the goals and objectives. The zoning regulations are presented to the BRA Board, then to the Zoning Commission for adoption, and finally to the Mayor for his approval.

Not surprisingly, many of the neighborhoods are experiencing similar development pressures and similar planning concerns. Policy initiatives have been developed as concepts and then refined to meet the specific characteristics of particular areas. Among the major zoning concepts proposed in the neighborhoods are:

Height Standards. Height standards send a clear signal to developers and the community on the growth and density that can be accommodated in an area; they also serve to direct growth to sites of greater capacity, as well as protect existing scale and character.

Transportation and Parking Controls. New development must demonstrate adequate vehicular access and off-street parking. Three transportation and parking elements are needed: a Transportation Master Plan for the entire neighborhood, a Transportation Access Plan for individual projects, and an increase in Residential Parking Requirements.

Open Space Plan. With the increased population in many areas over the past fifteen years and opportunities for new residential development, there is a growing need for increased open space. Neighborhood open space plans developed during the interim planing period emphasize the geographic and functional links of open space to historic neighborhoods, and to the existing open space and park system.

Design Guidelines. The urban design of most neighborhoods incorporates a mix of architectural styles, but has a generally consistent scale. Neighborhood commercial centers have no clear identity nor do the buildings demonstrate any real standard in design. Design standards must be developed to protect the character of residential areas and historic structures, upgrade commercial centers and guide future development.

Affordable Housing and Mixed Use Reserve Districts. Adjacent to some existing residential areas are large parcels of under-utilized publicly-owned land that have the capacity to accommodate residential development and relieve pressure on the existing housing stock. Such parcels would be proposed as Affordable Housing or Mixed Use Reserve Zones.

New Light Manufacturing District. Heavy industrial uses that are accompanied by noxious pollutants and heavy truck traffic are currently permitted as-of-right in heavy industrial zones. The new Light Manufacturing District would permit light manufacturing uses that maximize employment for Boston's residents and minimize adverse environmental effects and truck traffic.

Boulevard Planning Districts. Boulevard Planning Districts (BPD) are major arterials and cross streets that serve as primary access to all areas of the community and contain uses that provide services to the community. Their visual prominence and importance to the economy and transportation system of the community require special studies as input to the revised zoning.

Institutional Master Plans. Institutions constitute a major part of the area's physical environs and contribute to the overall economic base as major employers of area residents. At the same time the continued expansion of the institutions and related pressure on the housing market and transportation and parking infrastructure is a major issue. Future institutional development must be planned within the context of the needs of the residential neighborhoods.

The specific status of proposed zoning in each of the neighborhoods follows:

Harborpark. The twelve-member Harborpark Advisory Committee was appointed by the Mayor in 1985 to help devise a plan to protect the entire length of Boston Harbor as both a recreational and a maritime industrial resource, to preserve sight lines and views, and to provide access to the public along the waterfront. The Interim Planning Overlay District regulations for Harborpark were adopted by the Zoning Commission in March 1987, and a final plan which includes new zoning is now being developed.

Port Norfolk. The Port Norfolk Interim Planning Overlay District was adopted in September 1985. The Planning and Zoning Advisory Committee was appointed in September 1986. Since that time the group and the BRA have developed new zoning which was approved by the Zoning Commission in June 1988.

North End. A height limit of 55' was adopted for the North End on March 24, 1985, together with a Restricted Roof Structure Overlay District requiring Board of Appeal approval for construction of roof structures. Working sessions with the North End community concerning broader planning and zoning issues and potential changes are underway.

Boylston Street. The Citizen's Review Committee was formed in March 1985 to transform Boylston Street into the major boulevard that it was originally planned to be. The group focussed on design, capital improvement, and traffic and transportation issues. In April 1986 the Boylston Street Interim Planning Overlay District was adopted by the Zoning Commission, setting interim design regulations for height, bulk, and roofline setbacks. The Zoning Commission adopted permanent zoning in March 1987.

Allston-Brighton. The Allston-Brighton Planning and Zoning Advisory Committee was appointed in January 1986. It set to work with the BRA and Mayor's Office of Neighborhood Services to develop an Interim Planning Overlay District. Adopted in August 1987, the interim plan includes provisions for zoning, transportation, open space, economic, and design studies that are underway. The studies will lead to permanent land-use regulations for the neighborhood.

Roxbury. Members of the Planning Advisory Committee voted August 7, 1986, at a Roxbury town meeting to begin working with the BRA to develop new zoning rules for Roxbury. After numerous working sessions and community meetings, the Roxbury Interim Planning Overlay District was adopted by the community, and then, in August 1987, approved by the Zoning Commission. The interim plan includes provisions for zoning, transportation, open space, economic, and design studies that will lead to permanent land-use regulations for the neighborhood.

East Boston. Beginning in July 1986, the BRA and the Mayor's Office of Neighborhood Services met approximately twice monthly with the East Boston Planning and Zoning Advisory Committee to develop the East Boston Interim Planning Overlay District. The interim zoning was approved in June 1988, and planning is now underway which will lead to new zoning for East Boston.

Mission Hill. In November 1988 the Mission Hill Planning and Zoning Advisory Committee was appointed, and the community had begun discussions with the City leading toward establishing an Interim Planning Overlay District.

West Roxbury. On February 6, 1987 a map change was enacted which rezoned a large area along the VFW Parkway from local business and light industrial to residential use. This accomplishment was initiated by the West Roxbury Neighborhood Council. In November, 1986, the BRA began working on broader zoning and land-use issues with the West Roxbury Neighborhood Council, and the community currently is in the process of establishing an Interim Planning Overlay District.

Charlestown. In response to the intense development pressures in this already densely populated area, the community currently is in the process of establishing an Interim Planning Overlay District through the Charlestown Neighborhood Council. The BRA has initiated parking and density analyses preliminary to the formulation of new planning and zoning guidelines.

Dorchester. The BRA is conducting a land-use analysis of Dorchester Avenue in order to determine traffic and transportation needs as well as how to accommodate the competing industrial, commercial, residential, institutional, and local business uses in the area. A Dorchester Avenue Interim Planning Overlay District was adopted in September 1988 to facilitate this study.

Jamaica Plain. In November 1987, the Jamaica Plain Neighborhood Council's Zoning Committee began a series of twelve community meetings for the purpose of establishing an Interim Planning Overlay District and receiving input from neighborhood residents on planning and zoning issues. The Jamaica Plain Interim Planning Overlay District was adopted by the community and approved by the BRA Board in January, 1989. The interim plan includes provisions for zoning, transportation, open space, economic and design studies. The studies will lead to permanent land-use regulations for the neighborhood.

Fort Point Channel. A process is underway among the BRA, the Fort Point Channel Advisory Committee, and the South Boston neighborhood to develop new planning rules in the Fort Point Channel area. This process includes analysis of the impacts of downtown development, commercial traffic, and local residential development, as well as major public works projects such as the Seaport Access Road and construction of a Third Harbor Crossing.

South End. Two major zoning changes for the South End were approved by the Zoning Commission in September, 1987. One reduced building bulk by approximately fifty percent in areas in which existing rules allow apartment buildings. The other established a Density Limitation Overlay District which limits the number of small one and two bedroom units in each structure, depending on the number of floors in the structure. The BRA is now engaged in a Master Plan Process with the South End community to address other land use and zoning issues, disposition of the SENHI phase two parcels and other BRA-owned parcels, and planning, revitalization and urban design issues on Washington Street.

Fenway-Kenmore. The Fenway-Kenmore Planning and Zoning Advisory Committee was appointed in November 1988. The neighborhood currently is involved in discussions with the City concerning planning and zoning issues and establishing an Interim Planning Overlay District. The Committee also will review the Institutional Master Plan process in this district.

Columbia Point. Discussions with the Columbia Point neighborhood began in the summer of 1988. These will lead to a land use Master Plan for this peninsula.

Hyde Park. Discussions with the Hyde Park community concerning an Interim Planning Overlay District for Hyde Park Avenue began in the summer of 1988. When Hyde Park Avenue planning and revised zoning has been completed, discussions concerning broader planning and zoning issues in Hyde Park will begin.

South Boston. Planning and zoning analyses have begun in portions of South Boston in the Harborpark and Fort Point Channel areas. Discussions with the community concerning planning and zoning issues in the core of the residential community will begin in the fall of 1989 and will build upon the other analyses.

Roslindale. On October 29, 1985 the Zoning Commission adopted a map change from manufacturing to residential use. This citizen-initiated rezoning covered 13.5 acres. Forty residents signed the petition of support to the Zoning Commission. Discussion with the Roslindale community concerning broader planning and zoning issues will begin in the fourth quarter of 1989.

Mattapan. Discussions with the Mattapan community concerning planning and zoning issues will begin in the fall of 1989.

Neighborhood Planning and Zoning

February 1, 1989

MEMORANDUM

FEBRUARY 16, 1989

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: LINDA S. BOURQUE, ASSISTANT DIRECTOR FOR
NEIGHBORHOOD PLANNING AND ZONING
GAY FORBES, DEPUTY DIRECTOR FOR
NEIGHBORHOOD PLANNING AND ZONING
DANIEL J. BARRY, LAND USE COUNSEL

SUBJECT: AMEND ARTICLE 27 TO EXTEND IPOD FROM TWO TO THREE YEARS

EXECUTIVE

SUMMARY: Article 27 of the Zoning Code establishes the Interim Planning Overlay District for a period of no more than two years. Currently, any extension of this time period must be approved by the Zoning Commission. However, because of the number and complexity of planning activities required by the IPODs, more than two years may be necessary to achieve permanent zoning. An amendment to Article 27 allowing the time period to extend automatically to three years will provide the needed flexibility without additional action by the Zoning Commission.

Since Article 27 was adopted by the Zoning Commission in 1985, IPODs have been adopted for eight separate districts, including all of the Downtown. New permanent zoning has been enacted for the Boylston Street Corridor, and Port Norfolk, for which the Zoning Commission approved extensions before permanent zoning was ready for adoption. The Harborpark IPOD is nearing completion with permanent zoning expected to be presented to the Zoning Commission in the next few months. The Allston-Brighton and Roxbury IPODs will be expiring within approximately six months. The East Boston IPOD was established in June, 1988, and the Jamaica Plain IPOD has just been approved by the BRA Board.

As the neighborhoods and the City have gained experience with the interim planning process, the IPODs have been increasingly creatively used as mechanisms to incorporate planning goals and commitments into zoning regulations. Several of our new planning concepts developed for these IPODs, such as the Boulevard Planning District and Neighborhood Business District, call for extensive urban design and technical studies which must be completed before existing zoning can be fully evaluated and new zoning developed. Traffic and parking studies must be coordinated with urban design guidelines. Land use analyses must be evaluated in light of market studies. When new zoning concepts are created by staff, it is essential for the community to fully understand and review them before making recommendations to the BRA.

Some neighborhoods are both larger and more complex than others and therefore may need more than the two years originally contemplated for the first

IPODs. Allston-Brighton, for example, contains both very densely populated residential and neighborhood business areas, as well as several institutions, and the large tract of undeveloped land in Allston Landing for which Master Plans will be developed. Roxbury encompasses such a large land area that subcommittees in each subdistrict have been established to provide truly representative community input into the rezoning process. Economic development issues are critically important in Roxbury, and staff is working to develop models for the future. The commitments of our neighborhoods to these efforts deserves the time necessary to accomplish them, without the uncertainty and time involved in returning to the Zoning Commission for an extension.

Therefore, staff recommends that the Boston Redevelopment Authority authorize the Director to petition the Zoning Commission to adopt an amendment to Article 27 providing for an IPOD to remain in effect until such time as final zoning is adopted, but in no case for a period exceeding three years.

A recommended vote follows:

VOTED: That the Director is authorized to petition the Zoning Commission to adopt an amendment to the IPOD regulations of the Boston Zoning Code providing that, in the event that final zoning has not been adopted upon the lapse of the two-year IPOD period, the Interim Planning Overlay District shall remain in effect until such time as final zoning is adopted, but in no case for a period exceeding three years, in substantial accord with the petition submitted to the Authority on February 16, 1989.

